

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**ELANDER WOODALL, Individually and
on Behalf of All Others Similarly Situated,**

Plaintiff,

v.

**EVERGREEN PACKAGING, LLC AND
PACTIV EVERGREEN, INC.,**

Defendants.

Case No. 1:23-CV-459

Honorable Steven C. Seeger

JOINT MOTION TO SET DATES FOR APPROVAL OF SETTLEMENT

Plaintiff, Elander Woodall, individually and on behalf of all others similarly situated, and Defendants, Evergreen Packaging, LLC and Pactiv Evergreen, Inc., hereby jointly submit this Motion to Set Dates for Approval of the Collective Action Settlement as follows:

1. On December 23, 2024, the Parties notified the Court that they reached a settlement to resolve this collective action. [Dkt. 87]. Since then, the Parties have exchanged an initial draft of the long-form settlement agreement and are finalizing the remaining terms of the agreement.

2. On December 28, 2024, the Court dismissed this Action without prejudice and noted that the dismissal without prejudice will convert to a dismissal with prejudice by February 14, 2025. [Dkt. 88].

3. Given that this is a collection action brought under the Fair Labor Standards Act (“FLSA”) the terms of the long-form settlement agreement are essential in ensuring that the collective members receive their settlement funds and Defendant receives finality in the Action. As such, in order to be effective as an enforceable resolution, the long-form settlement agreement must be submitted to the Court for final approval. Thus, in addition to completing the settlement,

the Parties must also prepare a Joint Motion For Final Approval of the Settlement. Finally, Plaintiff must prepare their Motion for Fees and Costs. The Parties respectfully request adequate time to prepare all three but anticipate being able to complete and have ready to file the long-form settlement, joint motion for approval and Plaintiff's Motion for fees and costs on or before March 31, 2025. Should the Parties not have the above-referenced papers ready to be filed with this Court, the Parties will submit a joint status report on March 31, 2025 to advise the Court on the status of settlement.

4. To ensure the Court retains jurisdiction over the settlement, the Parties respectfully request that the dismissal without prejudice remain a dismissal without prejudice until the Court has received and reviewed the long form settlement, the joint motion for approval and Plaintiff's motion for fees and costs, and had an opportunity to grant final approval of the settlement and rule upon the motion for fees and costs, at which point the dismissal would be converted to a dismissal with prejudice.

WHEREFORE, the Parties respectfully request additional time up to and including March 31, 2025, to finalize the terms of the long-form settlement agreement, for the Parties to file a Motion for Approval of the Settlement, for Plaintiff's counsel to file its Motion for Fees and Costs, and to set the Motion for Approval for hearing with this Court and if the Parties do not have the Agreement finalized and the Motions for Approval ready for this Court's review, the Parties will provide a joint status report by March 31, 2025.

[Signature Block to Follow]

Dated: February 13, 2025

Respectfully submitted,

Elander Woodall

/s/ Josh Sanford

One of Her Attorneys

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Respectfully submitted,

Evergreen Packaging LLC and Pactiv Evergreen
Inc.

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